

TOWN OF BUCKEYE, ARIZONA
MINUTES OF THE REGULAR MEETING
OF THE
COMMUNITY PLANNING AND DEVELOPMENT BOARD
OCTOBER 26, 2004

CALL TO ORDER

Chair Hawley called the meeting to order at 7:00 p.m.

ROLL CALL

Board Members Present: Chair John Hawley, Vice-Chair Bill Raney, Annette Napolitano, Carol Kempiake, Earl Warren, Jim Zwerg, Ruben Jimenez and Alternate Tana Wrublik.

Board Members Absent: Alternate Dave Rioux

Council Members Present: Chris Urwiller

Staff Present: Larry Harmer, Phil Garthright, Denise Lacey, Ian Dowdy, Scott Zipprich, Bob Costello, and Connie Meadows

APPROVAL OF MINUTES

Chair Hawley asked for a motion to approve the minutes of the October 12, 2004 Regular Meeting with a correction made to Items 5L, 5M, and 5N where Kyle Hindman was referred to as John Hindman rather than Kyle. Vice Chair Raney made a motion to approve the minutes of the October 12, 2004 Regular Meeting with the correction made to Items 5L, 5M, and 5N. Member Zwerg seconded the motion. The motion passed unanimously.

WITHDRAWALS/CONTINUANCES: NONE

5. NEW BUSINESS:

5A. Case No. A04-19: Request by Steve Kellogg of Coe & Van Loo, on behalf of Marven Investments L.L.L.P. and Shea Homes Limited Partnership for the annexation of approximately 850 acres into the Town of Buckeye as located generally south of Lower Buckeye Road, west of Watson road, north of the Roosevelt Irrigation Canal, and east and west of Miller Road and also generally as located in the north half of Section 20 and 21; a portion of the southern half of Section 16; and a portion of the northeast one quarter of Section 19, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. Steve Kellogg of Coe & Van Loo, on behalf of Marven Investments L.L.L.P. and Shea Homes Limited Partnership presented the request for annexation to the Board. Vice Chair Raney made a motion to recommend approval of A04-19. The motion was seconded by Member Kempiake. The motion passed unanimously.

5B. Case No. GPA04-290: Request by Steve Kellogg of Coe & Van Loo, on behalf of Marven Investments L.L.L.P. and Shea Homes Limited Partnership for the major general plan amendment of approximately 700 acres from the PR, Planned Residential Land Use District to that of the PC, Planned Community Land Use District generally south of Lower Buckeye Road, west of Watson road, north of the Roosevelt Irrigation Canal, and east and west of Miller Road and also generally as located in the north half of Sections 20 and 21; a portion of the southern half of Section 16; and a portion of the northeast one quarter of Section 19, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. Steve Kellogg of Coe & Van Loo, on behalf of Marven Investments L.L.L.P. and Shea Homes Limited Partnership presented the request to the Board. Chair Hawley opened the public hearing. There being no comments from the public, Chair closed the public hearing. Member Napolitano made a motion to recommend approval of GPA04-290. The motion was seconded by Member Zwerg. The motion passed unanimously.

5C. Case No.: RZ04-289: Request by Steve Kellogg of Coe & Van Loo, on behalf of Marven Investments L.L.L.P. and Shea Homes Limited Partnership for the rezoning of approximately 850 acres from the RR, Rural Residential Land Use District to that of the PC, Planned Community Land Use District generally south of Lower Buckeye Road, west of Watson road, north of the Roosevelt Irrigation Canal, and east and west of Miller Road and also generally as located in the north half of Section 20 and 21; a portion of the southern half of Section 16; and a portion of the northeast one quarter of Section 19, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. Steve Kellogg of Coe & Van Loo, on behalf of Marven Investments L.L.L.P. and Shea Homes Limited Partnership presented the rezoning request to the Board. Chair Hawley opened the public hearing. There being no comments from the public, Chair closed the public hearing. Vice Chair Raney made a motion to recommend approval of RZ04-289. The motion was seconded by Member Jimenez. The motion passed unanimously.

5D. Case No. PP04-236: Request by Coe & Van Loo Consultants, Inc. on behalf of Voyager Investment Properties for the Preliminary Plat approval of a development known as Buckeye 240. This parcel is generally located southwest of the intersection of Southern Avenue & Rooks Road and is proposed to have 926 single family lots on 220.63 net acres. Mark Voight on behalf of Voyager Investment Properties, L.L.C., presented the request for a Preliminary Plat. The Board had questions regarding density, the water storage tank, and emergency response issues. Chair Hawley opened the public hearing. There being no comments from the public, Chair Hawley closed the public hearing. Chair Hawley made a motion to approve PP04-236. The motion was seconded by Member Napolitano. The motion failed five to two.

5E. Case No. A04-21: Request by Sunwest Valley Developers, for the Annexation of approximately 135 acres as generally located at the northeast corner of Rooks Road and Broadway Road into the Town of Buckeye. Quentin Thornton of Sun West Communities presented the request for annexation to the Board. Vice Chair Raney made a motion to recommend approval of A04-21. The motion was seconded by Member Zwerg. The motion passed unanimously.

5F. Case No.: MGPA04-304: Request by Sunwest Valley Developers, for a Major General Plan Amendment to the Town of Buckeye General Plan Land Use District Map designating approximately 135 acres generally located on the northeast corner of Rooks Road and Broadway Road as Planned Residential, PR; instead of the current Rural Residential, RR, designation. Quentin Thornton of Sun West Communities presented the request to the Board. Chair Hawley opened the public hearing. There being no comments from the public, Chair closed the public hearing. Member Napolitano made a motion to recommend approval of MGPA04-304. The motion was seconded by Member Jimenez. The motion passed unanimously.

5G. Case No.: RZ04-305: Request by Sunwest Valley Developers, for the rezoning of approximately 135 acres generally on the northeast corner of Rooks Road and Broadway Road from R-43, Maricopa County, to Planned Residential, PR, land use designation. Quentin Thornton of Sun West Communities presented the rezoning request to the Board. Chair Hawley opened the public hearing. There being no comments from the public, Chair closed the public hearing. Vice Chair Raney made a motion to recommend approval of RZ04-305. The motion was seconded by Member Zwerg. The motion passed unanimously.

5H. Case No. A04-15: Request by B.I.F. Buckeye, L.L.C. and Sun Valley Partners, L.L.C. for the annexation of approximately 114 acres into the Town of Buckeye as generally located northeast from the intersection alignment of 323rd Avenue and McDowell Road and also generally located in the southwest quarter of Section 35, Township 2 North, Range 5 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. Chris Harmon presented the request for annexation to the Board. Vice Chair Raney made a motion to recommend approval of A04-15. The motion was seconded by Member Zwerg. The motion passed unanimously.

5I. Case No. RZ03-259(A): Request by B.I.F. Buckeye, L.L.C. and Sun Valley Partners, L.L.C. for the rezoning of approximately 114 Acres from the RR, Rural Residential Land Use District to the PC, Planned Community Land Use District as generally located northeast from the intersection alignment of 323rd Avenue and McDowell Road and also generally located in the southwest quarter of Section 35, Township 2 North, Range 5 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. Chris Harmon presented the rezoning request to the Board. Bob Costello stated his concerns over fire safety and would like developers to work with the fire department prior to preliminary stage. Chair Hawley opened the public hearing.

There being no comments from the public, Chair Hawley closed the public hearing. Member Warren made a motion to recommend approval of RZ03-259(A). The motion was seconded by Vice Chair Raney. The motion passed unanimously.

5J. Case No. RZ03-259(B): Request by B.I.F. Buckeye, L.L.C. and Sun Valley Partners, L.L.C. for the rezoning of approximately 158 Acres from the GC, General Commerce Land Use District to the PC, Planned Community Land Use District as generally located northeast from the intersection alignment of Thomas Road and Bruner Road and also generally located in the southwest quarter of Section 8, Township 2 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. Chris Harmon presented the rezoning request to the Board. Chair Hawley opened the public hearing. There being no comments from the public, Chair Hawley closed the public hearing. Vice Chair Raney made a motion to recommend approval of RZ03-259(B). The motion was seconded by Member Zwerg. The motion passed unanimously.

5K. Case No. GPA(m)04-260: Tartesso West, 272 Acres, Minor General Plan Amendment: Request by Gary King of Earl, Curley, & LeGarde in association with Stardust Development for the minor General Plan Amendment of 272 acres from the GC, General Commerce and RR, Rural Residential Land Use Districts into the PC, Planned Community Land Use District. Gary King of Earl, Curley, & LeGarde presented the request to the Board. Member Warren made a motion to recommend approval of GPA(m)04-260. The motion was seconded by Vice Chair Raney. The motion passed unanimously.

5L. Case No. A04-20: Request by Southern and Rooks Property, L.L.C. for the annexation of approximately 120 acres into the Town of Buckeye as generally located northeast from the intersection of Rooks Road and Southern Avenue and also generally located in the Southwest quarter of Section 30, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. George Musser of Musser Engineering presented the request for annexation to the Board. Member Warren made a motion to recommend approval of A04-20. The motion was seconded by Member Kempia. The motion passed unanimously.

5M. Case No. GPA04-288: Request by Southern & Rooks Property, L.L.C. for a Major General Plan Amendment to change the Town of Buckeye Land Use District Map Designation from the PC, Planned Community Land Use District to the PR, Planned Residential Land Use District and the CC, Commercial Center Land Use District on approximately 120 acres as generally located northeast from the intersection of Rooks Road and Southern Avenue and also generally located in the southwest quarter of Section 30, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. George Musser of Musser Engineering presented the request to the Board. Chair Hawley opened the public hearing. There being no comments from the public, Chair closed the public hearing. Member Napolitano made a motion to recommend approval of GPA04-288. The motion was seconded by Member Jimenez. The motion passed unanimously.

5N. Case No.: RZ04-287: Request by Southern & Rooks Property, L.L.C. for the rezoning of approximately 120 acres from the RR, Rural Residential Land Use District to that of the CC, Commercial Center Land Use District (15 acres) and the PR, Planned Residential Land Use District (105 acres), as generally located northeast from the intersection of Rooks Road and Southern Avenue and also generally located in the southwest quarter of Section 30, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. **NOTE:** The applicant after their initial submittal request of (105 acres) of residential and 15 acres of commercial land use, has changed their request now to be 110 acres of residential and 10 acres of commercial. George Musser of Musser Engineering presented the rezoning request to the Board. Chair Hawley opened the public hearing. There being no comments from the public, Chair closed the public hearing. Member Kempiaak made a motion to recommend approval of RZ04-287 with the amendment to the request showing 110 acres of residential and 10 acres of commercial.. The motion was seconded by Member Zwerg. The motion passed unanimously.

5O. Case No. A04-10: Request by James Parker, on behalf of George Yeh, for the Annexation of approximately 15 acres as generally located at the southwest corner of Apache Road and Belloat Road into the Town of Buckeye. James Parker, on behalf of George Yeh, presented the request for annexation to the Board. Vice Chair Raney made a motion to recommend approval of A04-10. The motion was seconded by Member Zwerg. The motion passed unanimously.

5P. Case No.: RZ04-233: Request by James Parker on behalf of George Yeh, for the rezoning of approximately 15 acres generally located at the southwest corner of Apache Road and Belloat Road from the R-43, (Maricopa County) land use designation to the General Commerce, GC, land use designation. James Parker, on behalf of George Yeh, presented the rezoning request to the Board. Chair Hawley opened the public hearing. There being no comments from the public, Chair Hawley closed the public hearing. Member Napolitano made a motion to recommend approval of RZ04-233. Member Warren seconded the motion. The motion passed unanimously.

5Q. Case No. SP03-499: Request by Roger Plate on behalf of Nagji Akbarali for the approval of a Site Plan for a convenience store and gas station on a less than one acre site, located generally north of the intersection of Apache / Cemetery Road and Monroe Avenue / MC85. Roger Plate on behalf of Nagji Akbarali gave a brief overview of the project. Chair Hawley opened the public hearing. There being no comments from the public, Chair Hawley closed the public hearing. Vice Chair Raney made a motion to approve SP03-499. The motion was seconded by Member Zwerg. The motion passed unanimously.

5R. Case No.: PP04-382: Request by Biskind, Hunt & Taylor representing DMB for preliminary plat approval of Verrado Parcel 4.801 located east of Verrado Way and south of Lost Creek Drive. This subdivision proposes 109 single-family lots on approximately 26.17 acres. Jill Kusy of Biskind, Hunt & Taylor gave a brief overview of the project. Ms. Kusy stated the parcel should be identified as 4.801 and not 5.801 as stated in the agenda. All stipulations were agreed on with the exception to a revision made to stipulation "I". Chair Hawley opened the public hearing. There being no comments from the Public, Chair Hawley closed the public hearing. Vice Chair Raney made a motion to approve PP04-382 with the revision to stipulation "I". The motion was seconded by Member Jimenez. The motion passed unanimously.

6. COMMENTS FROM THE PUBLIC: None

REPORT FROM STAFF:

Staff reported that the next Development Board meeting would be on November 9, 2004.

REPORT FROM THE DEVELOPMENT BOARD: Member Zwerg stated he will not be in attendance at the next Development Board Hearing dated November 9, 2004. Vice Chair Raney asked staff to look into the clean up needed by Checker Auto as well as the fence issue. Mr. Harmer stated he will contact the responsible parties.

ADJOURNMENT:

Member Jimenez made a motion to adjourn the meeting seconded by Member Zwerg. The Meeting adjourned at 9:00 p.m.

John Hawley, Chair

ATTEST:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Community Planning and Development Board meeting held on the 26th day of October 2004. I further certify that the meeting was duly called and that a quorum was present.

Larry Harmer, Secretary